

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 02273 151029 Z

46

ACTION IO-13

INFO OCT-01 ADP-00 OIC-04 AF-10 ARA-11 EA-11 EUR-25 NEA-10

RSC-01 ACDA-19 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12 RSR-01 /171 W
----- 064456

P R 150945 Z MAY 73

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 9309

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 2273

E. O. 11652: GDS

TAGS: PFOR, UN

SUBJECT: DEFINITION OF AGGRESSION COMMITTEE: GROUP II
MEETING - INDIRECT USES OF FORCE AND SELF- DTERMINATION

1. IN CONTACT GROUP II MEETING AM MAY 14, DISCUSSION
CENTERED ON INDIRECT USES OF FORCE AND RIGHT OF SELF-
DETERMINATION. SOME NON- ALIGNED MEMBERS OF CONTACT
GROUP, INCLUDING EGYPT, RE- AFFIRMED THAT THEY WERE IN
PRINCIPAL OPPOSED TO INCLUSION OF REFERENCE IN LIST OF
ACTS TO INDIRECT USE OF FORCE BUT THAT THEY COULD ACCEPT
SUCH A REFERENCE IF PROPERLY FORMULATED.
2. WG CHAIRMAN (BROMS - FINLAND) PROPOSED FOLLOWING
FORMULATION OF REFERENCE: " THE ORGANIZATION OR ENCOURAGEMENT
OF THE ORGANIZATION, AS WELL AS THE SENDING, BY A STATE
OF ARMED BANDS, IRREGULARS OR MERCENARIES WHICH INVADE
THE TERRITORY OF ANOTHER STATE IN SUCH FORCE AND CIRCUMSTANCES
AS TO AMOUNT TO ARMED ATTACK AS ENVISAGED IN ARTICLE 51
OF THE CHARTER."
3. WE NOTED TWO FUNDAMENTAL PROBLEMS : FIRST, THE CONCEPT
OF ACQUIESCENCE IN THE USE OF A STATE' S TERRITORY
WAS NOT INCLUDED, AND SECOND, REFERENCE TO " ARMED
ATTACK" WAS OBJECTIONABLE IN THIS CONTEXT BECAUSE IT MIGHT BE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 02273 151029 Z

THOUGHT TO LIMIT RIGHT OF SELF- DEFENSE AGAINST INDIRECT USES OF FORCE.

4. GHANIAN REP MADE FOLLOWING IMPROMPTU PROPOSAL:

" WITHOUT PREJUDICE TO ARTICLE 51 OF THE CHARTER, THE SENDING BY A STATE, IN CONTRAVENTION OF THE PURPOSES AND PRINCIPLES OF THE CHARTER, OF ARMED BANDS WHICH INVADE THE TERRITORY OF ANOTHER STATE."

5. ON SELF- DETERMINATION, GHANAIS TABLED LENGTHY NEW FORMULATION WHICH INTENDED TO INCLUDE (A) ORIGINAL WORKING GROUP LANGUAGE ON SELF- DETERMINATION WITH ADDITION OF (B) LANGUAGE FROM FRIENDLY RELATIONS DECLARATION TO COVER POINTS CONTAINED IN SUDANESE PROPOSAL AND (C) SYRIAN PROPOSAL TO EMBODY FRIENDLY RELATIONS LANGUAGE REGARDING RIGHT OF PEOPLES TO RECEIVE SUPPORT " IN THEIR ACTIONS AGAINST AND RESISTANCE TO FORCEABLE ACTION WHILE IN PURSUIT OF THE EXERCISE OF THEIR RIGHT OF SELF- DETERMINATION." WE COMMENTED THAT GHANAIAN " COMPROMISE" GREW LONGER EACH TIME IT WAS MODIFIED. CHAUMONT (FRANCE) COMMENTED HELPFULLY THAT EFFORT TO TAKE PARTICULAR PASSAGES FROM FRIENDLY RELATIONS DECLARATION OUT OF CONTEXT WAS NOT A DESIRABLE APPROACH. CHAIRMAN (BROMS) CONCURRED AND PROPOSED HIS OWN, HIGHLY SIMPLIFIED FORMULA WHICH WOULD STATE THAT (A) NOTHING IN DEFINITION LIMITS RIGHT OF PEOPLES TO SELF- DETERMINATION UNDER CHARTER AND (B) STATES SHALL NOT USE FORCE TO DENY THAT RIGHT.

6. COMMENT: TACTIC WE HAVE ADOPTED ON SELF- DETERMINATION IS TO TRY TO STALL DISCUSSION TO SEE WHAT PROGRESS COULD BE MADE ON INDIRECT USES OF FORCE. IT IS VERY CLEAR THAT ALMOST ALL MEMBERS OF NON- ALIGNED PREPARED TO ACCEPT INCLUSION OF REFERENCE TO INDIRECT USES OF FORCE AND THAT QUESTION IS SIMPLY ONE OF FORMULATION. IN LIGHT OF THIS SITUATION, CANADIANS AND AUSTRALIANS HAVE CONTINUED STRONG PRESSURE FOR NEW SIMPLIFIED FORMULATION THAT THE SIX MIGHT USE AS BASIS FOR DISCUSSIONS. WE REQUEST ON URGENT BASIS DEPARTMENT'S SUBSTANTIVE COMMENTS ON REVISED LANGUAGE ON INDIRECT USES OF FORCE CONSIDERED IN GROUP OF SIX AND REPORTED GENEVA 2165, WHICH, THOUGH NOT DEPARTING

CONFIDENTIAL

PAGE 03 GENEVA 02273 151029 Z

IN ANY ESSENTIAL WAY FROM PRESENT SIX- POWER TEXT, AVOIDS SOME OF MORE OBVIOUS PROBLEMS INVOLVED IN GAINING ACCEPTANCE OF OUR BASIC APPROACH. BASSIN

CONFIDENTIAL
NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973GENEVA02273
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS BASSIN
Errors: n/a
Film Number: n/a
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730543/aaaajdtk.tel
Line Count: 113
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 28 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28-Sep-2001 by rowellE0>; APPROVED <03-Dec-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980211
Subject: DEFINITION OF AGGRESSION COMMITTEE: GROUP II MEETING - INDIRECT USES OF FORCE AND SELF- DTERMINATION
TAGS: PFOR, UN, PFOR
To: IO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005